

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2002-287-T - ORDER NO. 2007-739

OCTOBER 23, 2007

IN RE: Application of Frank P. Linick, 4357	) ORDER GRANTING
Willoughby Lane, Myrtle Beach, South	) MOTION FOR
Carolina 29577 (District 1) for a Class C	) IMMEDIATE
Certificate of Public Convenience and	) SUSPENSION OF
Necessity.	) CERTIFICATE AND
	) SETTING FORTH
	) CONDITIONS FOR
	) REINSTATEMENT

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion for Immediate Suspension of the Class C Certificate of Public Convenience and Necessity of Frank P. Linick (the carrier or the Company) filed by the Office of Regulatory Staff (ORS).

S.C. Code Ann. Section 1-23-370(c) (Revised 2005) states that if an agency finds that public health, safety, or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. ORS has provided an affidavit demonstrating that the insurance for this carrier has expired. Therefore, in order to protect the public safety, we hold that this carrier operating with no insurance constitutes an emergency and requires us to immediately suspend this carrier's Certificate granted in Docket No. 2002-287-T. Unless the Certificate is reinstated pursuant to the procedure set out below, this suspension will remain in effect until a hearing is held and a

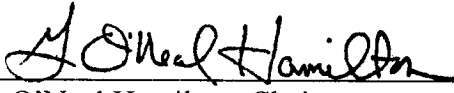
final determination can be made as to whether the Certificate in question should be permanently revoked.

Reinstatement of the carrier's Certificate may occur prior to the final hearing if ORS files with the Commission an updated insurance form and a letter of good standing stating that the holder of the suspended Certificate is in compliance with all Commission rules and regulations. If such evidence is filed, this Order will be automatically rescinded by its own operation as of the date of that filing. No further motion by the parties or action by the Commission will be required in order to reinstate the Certificate. If such reinstatement occurs, the Commission requests that ORS thereafter file an updated copy of the Company's Certificate showing that the suspension has been lifted by the Commission.

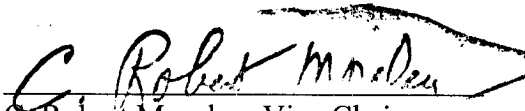
Accordingly, the Class C Certificate of Public Convenience and Necessity of Frank P. Linick is hereby suspended. However, if compliance with our rules and regulations is demonstrated as described above, the suspension shall be automatically rescinded and the Company's Certificate shall be automatically reinstated. If not, the carrier's suspension will remain in effect until a hearing is held to determine whether the Certificate in question should be permanently revoked.

This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:

  
G. O'Neal Hamilton, Chairman

ATTEST:

  
C. Robert Moseley, Vice Chairman

(SEAL)